

REMARKS

Claims 1-8 are now pending in this application.

Claims 1-3 and 6-7 stand rejected under 35 U.S.C. 102(e) as being unpatentable over Dorschky (US 2002/0186804; hereinafter "Dorschky"); claims 4 and 5 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Dorschky in combination with the Applicant's admitted prior art; and claim 8 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Dorschky alone. All of these rejections are respectfully traversed.

Applicant submits that the circuit, as set forth in claim 1-3 and 6-7 are novel and unobvious over Dorschky, or any of the other cited references, taken alone or in combination, and thus should be allowed.

With respect to claim 1, as originally filed, recites:

A clock recovery circuit, which is capable of automatically adjusting frequency range of a VCO in the clock recovery circuit, the clock recovery circuit comprising:

a main VCO for generating a main oscillation clock;

a phase detector for receiving an input signal and the main oscillation clock and generating a phase error signal;

a main loop filter for receiving the phase error signal and generating a fine control voltage;

an auxiliary VCO for generating an auxiliary oscillation clock;

an auxiliary frequency detector for receiving the main oscillation clock and the auxiliary oscillation clock and generating an auxiliary frequency error signal; and

an auxiliary loop filter for receiving the auxiliary frequency error signal and generating a coarse control voltage;

wherein the main VCO generates the main oscillation clock according to the fine control voltage and the coarse control voltage, and the auxiliary VCO generates the auxiliary oscillation clock according to a reference fine control voltage and the coarse control voltage.

As is well defined in the MPEP 2131, "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Applicant submits that the elements given by the Examiner recited from Dorschky for anticipating the circuit as set forth in claim 1 are not arranged as required by claim 1. As such, claim 1 and its dependent claims 2, 3, 6 and 7 are patentable over the single reference, i.e., Dorschky.

In particular, the Examiner contends: "Dorschky discloses in Figure 1 a clock recovery circuit... comprising: a main VCO (at 20)...; a phase detector (at 30) ...; a main loop filter (at 18)...; an auxiliary VCO (at 28) ...; an auxiliary frequency detector (at 24) ...; and an auxiliary loop filter (at 26) ...; wherein the main VCO generates the main oscillation clock according to the fine control voltage and the coarse control voltage, and the auxiliary VCO generates the auxiliary oscillation clock according to a reference fine control voltage and the coarse control voltage".

However, the VCO 28 as illustrated in Figure 1 of Dorschky is only controlled by one voltage outputted from the loop filter 32 as illustrated in Figure 1 of Dorschky. Applicant

submits that reconstruction of prior art circuit is not appropriate when making anticipation rejections. In other words, the circuit as set forth in claim 1 provides two voltages to control the auxiliary VCO. Therefore, to anticipate the claimed subject matter mentioned above, a prior art at least containing a teaching of "two voltages to control the auxiliary VCO" is prerequisite. Dorschky, when considered in its entirety, apparently does not satisfy this basic requirement. As such, Applicant submits that the circuit as set forth in claim 1 is novel and unobvious over Dorschky and thus claim 1 and its dependent claims should be allowed.

Because the features of the claim 1 does not fully disclosed in Dorschky. The features of claims 4, 5 and 8 can not be combined by Dorschky and the AAPA. Thus, the claims 4, 5 and 8 should also be allowable.

All 35 USC 102 and 103 rejections should now be reconsidered and withdrawn. An early Notice of Allowance is earnestly solicited.

If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Application No. 10/798,387
Amendment dated July 5, 2007
Reply to Office Action of April 5, 2007

Docket No.: 3722-0182PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: July 5, 2007

Respectfully submitted,

By 

Joe McKinney Muncy

Registration No.: 32,334

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant